

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

CECIL RAY,)
Petitioner,)
v.) CIVIL ACTION NO. 5:20-cv-429 (MTT)
COMMISSIONER, GEORGIA)
DEPARTMENT OF CORRECTIONS,)
Respondent.)

)

ORDER

Petitioner Cecil Ray moves for leave to appeal *in forma pauperis* ("IFP") from the Court's order denying his petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Doc. 21. Ray's motion does not raise any meritorious issues and would therefore be considered frivolous under review of a motion for leave to appeal IFP. See 28 U.S.C. § 1915; *Coppedge v. United States*, 369 U.S. 438, 445 (1962) (holding that a plaintiff demonstrates good faith under 28 U.S.C. § 1915 when he seeks review of a non-frivolous issue); *Carroll v. Gross*, 984 F.2d 392, 393 (11th Cir. 1993) ("[A] case is frivolous . . . when it appears the plaintiff 'has little or no chance of success.'") (citations omitted). Moreover, the Court already considered Ray's claims when it denied Ray a certificate of appealability. Doc. 16. Accordingly, Ray's motion to proceed IFP on appeal (Doc. 21) is **DENIED**.

SO ORDERED, this 25th day of February, 2022.

S/ Marc T. Treadwell
MARC T. TREADWELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT